

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE**

---

IN RE:

JEFFREY RION PRICE and  
JOYCE ANN PRICE

Debtors.

▪

▪

§

▪

Case No.: 99-21217

Chapter 7

▪

§

JEFFREY RION PRICE and,  
JOYCE ANN PRICE  
Plaintiffs,

▪

§

▪

▪

vs.

Adv. Proc. No.: \_\_\_\_\_

▪

▪

VERIZON NORTH, INC.  
d/b/a/VERIZON and  
AFNI, INC.  
Defendants.

§

§

▪

▪

---

**COMPLAINT**

---

Come now the Debtors/Plaintiffs, Jeffrey and Joyce Price, by and through counsel, and for their Complaint would show this Honorable Court as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. § 157 and § 1334.
2. This Court has venue over the subject matter of the Complaint pursuant to 28 U.S.C. § 1409.
3. The allegations of the Complaint present core proceedings pursuant to 28 U.S.C. § 157(b)(2).
4. The Debtors/Plaintiffs, Jeffrey and Joyce Price, filed their Chapter 7 case on May 7, 1999. A copy of the Debtor's Chapter 7 Petition is attached hereto as **Exhibit 1** and is

hereby incorporated by reference.

5. The Debtors received their discharge on August 10, 1999. A copy of the Discharge is attached hereto as **Exhibit 2** and is hereby incorporated by reference.
6. The Debtors/Plaintiffs, Jeffrey and Joyce Price, listed in their voluntary petition a debt owing to GTE North. A copy of Schedule F is attached hereto as **Exhibit 3** and incorporated by reference.
7. The successor, by merger, to GTE North, on information and belief, is Verizon North, Inc. GTE North, had apparently transferred the debt, through its merger with Verizon, to the Defendant, Verizon North.
8. On or about September 18, 2007, Plaintiffs received a collection notice from Afni, Inc., an agent of Verizon North, Inc., in an attempt to collect on the debt of Defendant, Verizon North. Attached hereto as **Exhibit 4** is a copy of the statement sent to Debtors/Plaintiffs by Afni, Inc. and is incorporated by reference.
9. On or about November 23, 2007, the Debtors/Plaintiffs received a collection notice/settlement offer from the Defendant, Afni, Inc., in an attempt to collect on the discharged debt. A copy of the collection statement is attached hereto as **Exhibit 5** and incorporated by reference.
10. The debt owed to Defendant, Verizon North was discharged in the Chapter 7 filed by Plaintiffs.
11. Communications from the Defendants Verizon, North and Afni, Inc. involve a willful violation of the permanent Discharge Injunction contained under 11 U.S.C. § 524.
12. The Plaintiffs have been damaged as a result of the actions of the Defendants including,

but not limited to, legal fees incurred to respond to the collection actions by the Defendants.

13. The Court has the power to enjoin the Defendants from further future violations of the Discharge Injunction of 11 U.S.C. § 524 and to award damages and legal fees to the Plaintiffs pursuant to 11 U.S.C. § 105.

**WHEREFORE**, premises considered, the Plaintiffs prays as follows:

1. Summons issue requiring Complaint to be answered as required by law.
2. That the Defendants, Verizon North and Afni, Inc. be found in willful violation of 11 U.S.C. 524.
3. That this Honorable Court award to the Plaintiffs actual damages, attorney fees necessary to prosecute this action, including punitive damages, for the Defendant's willful violation as provided by 11 U.S.C. § 105 and to further enjoin the Defendants permanently from violating the injunction of 11 U.S.C. 524 as provided by law.
4. Grant to the Plaintiffs all such other further and general relief to which they may be entitled.

DATED this 19<sup>th</sup> day of February, 2008

**RESPECTFULLY SUBMITTED BY:**

JEFFREY RION PRICE,  
JOYCE ANN PRICE

By: /s/ Richard M. Mayer, #5534  
/s/ John P. Newton, Jr., 010817  
/s/ Brent S. Snyder # 021700  
LAW OFFICES OF MAYER & NEWTON  
Attorneys for Debtors/Plaintiffs  
1111 Northshore Drive, Suite S-570  
Knoxville, Tennessee 37919  
(865) 588-5111 Telephone  
(865)588-6143 Fax  
[richardmayer@richardmayer.com](mailto:richardmayer@richardmayer.com)